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בית המדרש ע"ש זיגלר

# Walking with Mitzvot

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דרכיה דרכי נעם

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# MITZVOT AND MODERN JEWISH THOUGHT

ARNOLD EISEN, PH.D.

The nature, scope, and authority of the commandments has been a major preoccupation of 20th-century Jewish thinkers in America. The reason, I think, is both theological and personal. Jewish thinkers have felt a pressing need to *rethink* their relation to specific commandments, to the status that we might call “commandedness” and to God as Commander, in light of the massive changes in consciousness and conditions that have led many Jews in recent decades to reassess their relation to Judaism as a whole. If I am correct, their attention to the subject of mitzvah also has a lot to do with *personal experience* of observance and its meaning—the sort of experience that I first had in my late teens, if memory serves, and have been grateful to repeat in various forms many times since. One starts off regarding the mitzvot as a burden and then realizes that in fact they are a great gift. Rules offer a framework for meaning. Obligation turns to love.

My aim in this essay is to describe briefly how two great American Jewish thinkers, both of whom taught at JTS and were crucial to the development of Conservative Judaism, thought about mitzvah. The first is Mordecai M. Kaplan, who founded the Reconstructionist Movement in part because of perceived differences from other Conservative Jews on the matter of the commandments, and in doing so provided insights into the mitzvot that to my mind are indispensable to a proper understanding of their meaning. The second is Abraham Joshua Heschel, who, although he never declared himself a Conservative Jew, offered as good an explanation as I know of what Conservative Judaism stands for when it comes to the mitzvot. I will introduce and follow a discussion of their thinking with a few remarks about my own—the better to illumine the questions underlying their answers and the answers they have provided to my personal questions.

It was as a teenager, I think, that I first figured out for myself that mitzvah was not just the singular form of a comprehensive and seemingly infinite set of do’s and don’ts (613 mitzvot and counting), but an entity, a whole, in its own right. I had been working intensively on the book of Deuteronomy, Moses’s last chance to address the Israelites before they entered the Promised Land and he ascended the mountain to die. Deuteronomy, I was stirred to realize, begins with several programmatic chapters (unlike any other in the Torah) that lay out succinctly and powerfully the major themes of Moses’s speech. He has one last chance to bring the message of Sinai to life for the Israelites—and at that moment, he certainly did so for me. His message, I realized that day—the Torah’s message—remains as relevant and compelling to my life as its words must have been when first set down.

The message outlined in Chapter 4 of Deuteronomy is this: God has vouchsafed a new kind of life to the people Israel, beyond any the world has ever known. I came to call it “life with a capital L.” God has entered into Covenant with this people because—for reasons mere mortals will never fully understand—God has intentions for the world that require human partners for their fulfillment. The world was not good enough as it is: not just or compassionate enough. Human beings, starting with the people Israel, are called to help make it better.

To that end, God has entered into Covenant with a people formed by a Covenant with one another formed at the very same time. God has provided guideposts to this people—a “kingdom of priests and holy nation”—that constitute a way through life’s wilderness. The way is all-embracing. It encompasses how Israelites—and eventually Jews—study and eat, how we take care of the sick and conduct business, what we do in the privacy of our homes and families and what we do in the public spaces of society. The name of this way is mitzvah.

Like a literal path through wilderness, this path demands the guidance of God (cloud and fire) as well as the steadfastness of human beings (the path exists only if people walk it repeatedly). The way could not be charted, let alone walked, so long as the children of Israel were subject to other nations’ cultures, political systems, and religions. For that reason God had taken Israel out of Egypt and set aside a Land where our norms and assumptions about the world would hold sway. (Later, in exile and Diaspora, Jews have sustained the way in strong Jewish communities even while taking an active part in the societies around them.) Whether in Diaspora or in the Land of Israel, the voice of Torah remains vibrant and compelling only if its direction is maintained but adapted to changing circumstances, imperatives, and needs.

Walking this way, Jews in our day, as in previous eras, have the opportunity to achieve and model a kind of community otherwise impossible. The mitzvot guide a life of connection to Jews throughout the world and throughout history;



# MITZVOT AND MODERN JEWISH THOUGHT

they also reward us with a sense of purpose and service far larger than ourselves. We may even encounter God from time to time on the path, however we understand God. We know as a result that we are headed in the right direction. Life is not mere wilderness, but a path to the Promised Land. If we don't get there, our children and students will, and if not they, then their children and students after them. We are mortal, but the way endures. Mitzvah links us to eternity.

Kaplan seized on the fact that the Covenant at Sinai created a people and not only a religion or church in order to argue that we should understand Judaism as a “civilization.” He taught in his great book bearing that title (*Judaism as a Civilization*, published in 1934) that Judaism embraces every aspect of a people's culture or civilization—history, literature, language, folk customs, social structure, home ritual—and, last but not least, Zionism: the building of a society in the Land of Israel guided by Jewish norms and values, in the service of Covenant. Kaplan wanted to make room inside Judaism and Jewish communities for Jews who had lost faith in God—as they understood faith and God—and to expand the concept of collective Jewish action from synagogue to all-embracing communities or *kehillot*. Particularly in *Judaism as a Civilization*, but also elsewhere, Kaplan apparently felt the need to address the belief on the part of many Jews—a belief, I can attest from my own research, that is still widespread—that the commandments stand in contradiction to human freedom. Kaplan himself seems to have shared this belief to some extent. His suggestion was that we speak not of mitzvah but *minhag*: not of the commandments but of “folkways.”

If we were henceforth to designate all “commandments pertaining to the relations between man and God” as *minhagim* or “folkways,” we would accomplish a twofold purpose. First, we would convey the thought that they should not be dealt with in a legalistic spirit, a spirit that often gives rise to quibbling and pettifogging. They should be dealt with as the very stuff of Jewish life, which should be experienced with spontaneity and joy, and which can be modified as circumstances require. Second, we would convey the implication that not only should as many “commandments” or folkways as possible be retained and developed, but that Jewish life should be stimulated to evolve new and additional folkways. *Folkways are the social practices by which a people externalizes the reality of its collective being.* (*Judaism as a Civilization*, p. 432)<sup>1</sup>

Kaplan has no problem with the commandments termed by the rabbis “between man and his fellow”—the left hand of the two Tablets of the Covenant. He does not question the authority of commandments prohibiting murder, adultery, theft, etc. These are enforced by every society. They speak to us with the voice of conscience. His only issue is with the commandments on the “right hand”: those pertaining to human relations to God. I think the reason goes beyond Kaplan's lack of belief in a personal God but rather in a God who is the sum total of the forces working (through Nature and through us) to make the world more orderly, beautiful, compassionate, and just. As we see in the passage above, Kaplan is opposed to the *pilpul* of Talmudic discussion—too much detail, in his view, and too little meaning—and is concerned that Jewish observance be characterized by spontaneity, joy, and innovation, such as he sought and, one can infer, experienced. Kaplan does not actually dichotomize mitzvah to freedom or commandment to duty, but he comes close, perhaps because he himself had experienced it as such.

It is striking that later in this same book Kaplan recognizes the necessity to community or culture of what he calls “involuntary observance” and even of “law.” In the works that came after *Judaism as a Civilization*, Kaplan moderated his opposition to mitzvah, reconciling it to the desired “social practices by which a people eternalizes the reality of its collective being.” I think that both of the positions he took on the matter help to bring out three essential lessons about mitzvah that are as old as Judaism itself and remain especially crucial to Conservative Judaism.

First, Jews have always found a variety of “tastes” or “reasons” for the commandments, a tradition of thought known as *ta'amei ha'mitzvot*. Consider the Passover seder: we gather on a particular evening around a table set with particular symbols and—guided by one variant or another of a traditional text—spend hours discussing why we are there and the meaning of what we are doing. It is the same with other mitzvot. The way that we walk together is occasion for extended conversation about where we are going and how best to get there.

<sup>1</sup> Mordecai Kaplan, *Judaism as a Civilization: Toward a Reconstruction of American-Jewish Life*. New York: Schocken Books, 1967.



# MITZVOT AND MODERN JEWISH THOUGHT

Second, Jews have always disagreed on the meaning of revelation: the sense in which “God said” or “spoke” or “commanded” or “instructed” Israel and other human beings from Sinai to the present. (Heschel collected these discussions in a massive three-volume work that—in edited version—appears in English under the title *Heavenly Torah*.) To Kaplan, God speaks to us through reason and tradition, nature and experience, but not through person-to-person revelation. When we do good, the forces called God work with us and through us. When we pray, we summon individual and collective resolve to engage in that work. Faith is not the belief that God exists or summons us to the work, in Kaplan’s view, but rather the belief that the cosmic forces of good, with our help, will WIN—that history can be changed, that we can be better. Conservative Judaism has always contained a variety of notions on the mystery of how and what God commands us.

Finally, Kaplan drives home the lesson that *commandment* is far too narrow a translation of *mitzvah*. You and I both know Jews who work for Judaism or for their local Jewish community or on behalf of Israel without belief that God commanded them to do so and perhaps without belief in God at all. Some are called by a sense of responsibility to their community. Others feel obligated by parents or more distant ancestors. Some hear God’s voice through conscience (or obey conscience without hearing God’s voice in it). Some find God in Torah, even if they do not believe God (or Moses) actually wrote the text. And some continue to believe that God did “come down” in some sense at Sinai and revealed Torah to Moses.

We need not resolve this matter, I believe, so long as we continue to work together—and with other human beings—to do God’s work in the world. All of us are needed, and all we can bring to the task is essential. Agreement on theological matters that will never be resolved with certainty is *not* required.

Heschel came at matters differently—beginning, we might say, with the sort of powerful personal experience of God that ineluctably leads to the question—one we must answer as if the meaning of our very lives depends on it—of how each of us should live in a world that we share with our Creator. Man is not alone. God is in search of man. God calls us to partnership, to Covenant, to meaning, to service. How should we live in God’s presence? What should we do? How should we spend our days and employ our talents?

Two passages in Heschel’s great work, *God in Search of Man* (1955),<sup>2</sup> capture some of Heschel’s thinking about the nature, purpose, and reward of the commandments.

First, we treasure the mitzvot we do *be’tzavta* (together) with our Creator (a fanciful Hasidic etymology of the word) because they enable us not only to know we are spending our time well but to experience God’s nearness.

“In our response to His will we perceive His presence in our deeds. His will is revealed in our doing.” Not just at Sinai, we might say, but in our response to Sinai. Not just there and then, but in every here and now. “In carrying out a sacred deed we unseal the wells of faith” (*God in Search of Man*, p. 282). Moses as God’s prophet had translated God’s intent into the specifics of law and deed; we, performing those deeds in accordance with the interpretations of generations of teachers, continue the process of God’s revelation.

Second, by performing mitzvot we expand the bounds of what we know about life and the world.

A Jew is asked to take a *leap of action* rather than a *leap of thought* [or faith]. He is asked to surpass his needs, to do more than he understands in order to understand more than he does. In carrying out the word of the Torah he is ushered into the presence of spiritual meaning. Through the ecstasy of deeds he learns to be certain of the hereness of God. Right living is a way to right thinking (*God in Search of Man*, p. 283).

The small *l* in *life*, we might say, gives way to the capital *L*. By helping to transform the world, we ourselves are transformed. We gain a larger sense of life’s possibilities, including the potential of true community. We see wholeness,

<sup>2</sup> Abraham Joshua Heschel, *God in Search of Man: A Philosophy of Judaism*. Philadelphia: The Jewish Publication Society of America, 1955.



# MITZVOT AND MODERN JEWISH THOUGHT

where before there had been only isolation. We sense unity, where before there were only isolated details. Visiting the sick is related to how we eat. Study is necessary for the tasks of justice. Jewish community is instrumental to the service of humanity and the planet. A mezuzah on the door or a blessing on the Sabbath can point a home, a family, or a career toward holiness.

It is amazing how this works. But it does work. We know this from experience, as Heschel did, and testify accordingly. Kaplan and Heschel offer contemporary Jews the gift of honest and sustained reflection about mitzvah; their reflection is all the more valuable, I think, because both combined learned theology with the wisdom of personal experience. Both put on tallit and tefillin every weekday morning before spending the rest of the day disagreeing with one another, implicitly or explicitly, over what those acts meant, how God has commanded them, or how Judaism should be understood. I imagine the two of them standing at Sinai with the ancestors, arguing (as the ancestors must have done) what and how the kol they heard commanded them.

You and I stand with them as we, too, walk the way of mitzvah and take the “leap of action.” We do, and, therefore, we hear. We do mitzvot, learning as we go, and know for a fact that Torah is a tree of life to those who hold fast to it, and Judaism “a reminder of the grandeur and earnestness of living” (*God in Search of Man*, p. 283).



# MITZVOT AND MODERN JEWISH THOUGHT – TEXT 1

## ABRAHAM JOSHUA HESCHEL (1907-1972), *BETWEEN GOD AND MAN*<sup>1</sup>

Halakhah gives us the norms for action; agadah, the vision of the ends of living. Halakhah prescribes, agadah suggests; halakhah decrees, agadah inspires; halakhah is definite; agadah is allusive. Halakhah, by necessity, treats with the laws in the abstract, regardless of the totality of the person. It is agadah that keeps on reminding that the purpose of performance is to transform the performer, that the purpose of observance is to train us in achieving spiritual ends. “It is well known that the purpose of all mitzvot is to purify the heart, for the heart is the essence.”<sup>2</sup> The chief aim and purpose of the mitzvot performed with our body is to arouse our attention to the mitzvot that are fulfilled with the mind and heart, for these are the pillars on which the service of God rests<sup>3</sup> (p. 175).

### STUDY QUESTIONS

- **Come up with short definitions of halakhah and aggadah. Using this passage and Dr. Eisen’s essay, what would you say is the relationship of halakhah and aggadah for Heschel? Are they complementary, opposites, or both?**
- **Are the commandments merely a means to an end for Heschel?**
- **Do you agree with Heschel’s distinction between “mitzvot performed with our body” and “mitzvot...fulfilled with the mind and heart?” Think of some examples.**

<sup>1</sup> Abraham Joshua Heschel, *Between God and Man: An Interpretation of Judaism*. New York: Harper & Brothers, 1959.

<sup>2</sup> Bahya, *Kad Hakemakh*, Shavuot.

<sup>3</sup> Bahya, *Duties of the Heart*, IV, 91.



## MITZVOT AND MODERN JEWISH THOUGHT – TEXT 2

תלמוד בבלי מסכת סוטה דף יד עמוד א  
ואמר רבי חמא ברבי חנינא, מאי דכתיב: "אחרי ה' אלהיכם תלכו" (דברים יג:ה)? וכי אפשר לו לאדם להלך אחר שכינה? והלא כבר נאמר: "כי ה' אלהיך אש אוכלה הוא" (דברים ד:כד)! אלא להלך אחר מדותיו של הקב"ה. מה הוא מלביש ערומים, דכתיב: "ויעש ה' אלהים לאדם ולאשתו כתנות עור וילבישם" (בראשית ג:כא), אף אתה הלבש ערומים; הקב"ה ביקר חולים, דכתיב: "וירא אליו ה' באלוני ממרא" (בראשית יח:א), אף אתה בקר חולים; הקב"ה ניחם אבלים, דכתיב: "ויהי אחרי מות אברהם ויברך אלהים את יצחק בנו" (בראשית כה:יא), אף אתה נחם אבלים; הקב"ה קבר מתים, דכתיב: "ויקבר אותו בגיא" (דברים לד:ו), אף אתה קבור מתים.

### BABYLONIAN TALMUD, SOTAH 14a

Rabbi Hama bar Hanina said: What is the aggadic teaching that can be derived from what is written in Scripture: "You shall walk after the Lord your God" (Deut. 13:5)? Is it possible for a human being to walk after the Shekhinah? Hasn't it already been said "For the Lord your God is a consuming fire" (Deut. 4:24)? Rather, [it means] to walk after the attributes of the Holy One, Blessed be He. Just as he clothes the naked, as it is written, "For the man also and for his wife did the Lord God make coats of skin, and he clothed them" (Gen. 3:21), so you too should clothe the naked. The Holy One, Blessed be He, visited the sick, as it is written, "And God appeared to him [Abraham] by the terebinths of Mamre" (Gen. 18:1), so you too should visit the sick. The Holy One, Blessed be He, comforted mourners, as it is written, "And it came to pass after the death of Abraham that God blessed his son Isaac" (Gen. 25:11), so you too should comfort mourners. The Holy One, Blessed be He, buried the dead, as it is written, "And he [God] buried him [Moses] in the valley" (Deut. 34:6), so you too should bury the dead.

### STUDY QUESTIONS

- Is imitation of God possible for us humans? Are there other actions you would add to this rabbinic text?
- Is imitation of God a commandment, or an ideal to strive for? What is the difference for you if it is one or the other?
- How do God's actions held up for imitation resemble the way we teach children? Are command and example complementary in teaching children?
- Does imitating God apply only to mitzvot between one person and another, such as those enumerated in this text from the Talmud? How can imitating God apply to other mitzvot?
- This Talmudic text plays with the concepts of halakhah and aggadah. How can you apply the ideas of Heschel and Eisen to it? How do you think Kaplan would react to this text?





# MITZVOT AND MODERN JEWISH THOUGHT – TEXT 3

## FRANZ ROSENZWEIG (1886-1929), “THE BUILDERS”<sup>1</sup>

The law (Gesetz) must again become commandment (Gebot), commandment which is turned into deed immediately when it is perceived...Even if someone wants to do “everything” doable, he will not fulfill the law with this “wanted” doing, not fulfill it so that it becomes a commandment – a commandment that he must fulfill because he cannot leave it unfulfilled (p. 116).

### STUDY QUESTIONS

- **What does Rosenzweig mean by the distinction between law and commandment?**
- **How is a commandment something we “cannot leave unfulfilled?” What makes us fulfill a commandment?**
- **Why is perception the impetus that makes us turn commandment immediately into deed? Perception of what? Why is law alone unable to accomplish this?**
- **How does Rosenzweig’s view of command relate to Kaplan’s and Heschel’s views as described in Dr. Eisen’s essay and in the study texts presented here?**

<sup>1</sup> Franz Rosenzweig, *Kleinere Schriften*. Berlin: Schocken Verlag, 1937.

Thank you to Dr. Steven Lowenstein for the text suggestion and the translation.



# MITZVOT AND MODERN JEWISH THOUGHT – TEXT 4

## ABRAHAM JOSHUA HESCHEL (1907-1972), GOD IN SEARCH OF MAN<sup>1</sup>

Man is responsible for his deeds, and God is responsible for man's responsibility. He who is a life-giver must be a lawgiver. He shares in our responsibility. He is waiting to enter our deeds through our loyalty to His law. He may become a partner to our deeds.

Just as man is not alone in what he *is*, he is not alone in what he *does*. A mitzvah is an act which God and man *have in common*. We say: "Blessed art Thou, Lord our God, King of the universe, who has sanctified us with *His* mitzvot." They oblige Him as well as us. Their fulfillment is not valued as an act performed in spite of "the evil drive," but as an act of *communion* with Him. The spirit of mitzvah is *togetherness*. We know, He is a partner to our act (pgs. 286-7).

### STUDY QUESTIONS

- **What does Heschel mean by "He who is a life-giver must be a lawgiver?"**
- **What does it mean to say that a mitzvah is "an act which God and man have in common?"**
- **How is fulfillment of a mitzvah "an act of communion" with God? Think about the study texts we have seen up until now, and how this idea may or may not apply to your personal experience of mitzvot.**
- **Heschel speaks of "togetherness" with God in the performance of mitzvot. This seems to imply a non-hierarchical relationship. Can there be a non-hierarchical command? If not, what does this say about mitzvot?**

<sup>1</sup> Abraham Joshua Heschel, *God in Search of Man: A Philosophy of Judaism*. The Jewish Publication Society of America, 1955.



# MITZVOT AND MODERN JEWISH THOUGHT – TEXT FOR GROUP STUDY

## MORDECAI KAPLAN (1881-1983), JUDAISM AS A CIVILIZATION <sup>1</sup>

Fortunately, there is an alternative to the traditional attitude toward the *mitsvot* – to treat them as religious poetry in action. *The normal human being is exhilarated by any kind of ritual which gives him a sense of unity with the larger life of some group. In sharing that life, his own is redeemed from its dull and drab routine...* Judaism is not merely a universe of discourse, but also a universe of sense experience (pgs. 434-435).

### STUDY QUESTIONS

- For Kaplan, what is the psychological impact of ritual on the “normal human being?” How does this relate to Dr. Eisen’s description of mitzvah as “a way through life’s wilderness?”
- For you, is Judaism “a universe of sense experience?” How do the mitzvot create sense experience? If you were to describe Judaism to a non-Jew, how would you discuss this aspect of Judaism?
- Kaplan’s alternative to the “traditional attitude toward the mitzvot” is “to treat them as religious poetry in action.” What is the traditional attitude toward mitzvot? How do you react to the idea of “religious poetry in action?”
- How do mitzvot give “a sense of unity with the larger life” of the Jewish people? What distinguishes mitzvot from rituals that give you a sense of unity with the larger life of the country in which you live?
- How is your understanding of Kaplan here informed by the selection from Heschel in Text 1? By Dr. Eisen’s “life with a capital L?”

<sup>1</sup> Mordecai Kaplan, *Judaism as a Civilization: Toward a Reconstruction of American-Jewish Life*. Schocken Books, 1967.







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